

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

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ACQIS LLC,	)	
<i>Plaintiff,</i>	)	
v.	)	Case No. 1:23-cv-00822-ADA
SONY INTERACTIVE ENTERTAINMENT	)	JURY TRIAL DEMANDED
INC. AND SONY INTERACTIVE	)	
ENTERTAINMENT LLC	)	
<i>Defendants.</i>	)	

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**DEFENDANTS' OPPOSED MOTION FOR EXPEDITED BRIEFING ON ITS MOTION  
TO STAY CLAIM CONSTRUCTION PROCEEDINGS PENDING RULING ON SONY'S  
PETITION FOR WRIT OF MANDAMUS**

Sony respectfully requests an expedited briefing schedule on its concurrently filed Motion to Stay. Specifically, Sony respectfully requests that the Court set a briefing schedule in which ACQIS's opposition to Sony's Motion to Stay is due by 11:00 a.m. Central Time on Friday, August 11, 2023. In an effort to expedite a ruling, Sony agrees to waive its Reply and does not request a hearing. As set forth above, the Court should stay claim construction proceedings, including the *Markman* hearing scheduled for August 11, 2023 until the Federal Circuit has had an opportunity to rule on Sony's mandamus Petition which was also filed today. Absent a stay, Sony will be deprived the opportunity to seek meaningful appellate review prior to the *Markman* hearing. There is good cause to expedite the briefing on Sony's Motion. The Court issued its order denying transfer to the Northern District of California on July 19, 2023, only twenty-three days prior to the *Markman* hearing scheduled for August 11. Sony expeditiously and diligently prepared and filed its Petition and filed the Motion to Stay the same day. Without an expedited briefing schedule, the

*Markman* hearing will proceed before Sony can obtain a ruling on its Motion to Stay. Sony thus respectfully requests that this Court order the briefing schedule outlined above.

Dated: August 8, 2023

Respectfully submitted,

By: /s/ Melissa R. Smith  
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*Counsel for Defendants Sony Interactive Entertainment Inc. and Sony Interactive Entertainment LLC*

**CERTIFICATE OF CONFERENCE**

I hereby certify that, on August 8, 2023, counsel for defendant conferred with counsel for plaintiff regarding the relief requested in Sony's Motion for Expedited Briefing. Counsel for plaintiff indicated it opposes Sony's motion.

/s/ *Melissa R. Smith*

**CERTIFICATE OF SERVICE**

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on August 8, 2023, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system

/s/ *Melissa R. Smith*